THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO.566 of 2006

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6th January 2006

Between:

S. Gangadri S/o Gangappa,
Yeddulavandlapalli Village, OD Cheruvu Mandal, Ananathapur District.

...PETITIONER

AND

1 The Director of Civil Supplies, O/o the Commissioner of Civil Supplies

Government of Andhra Pradesh, Civil Supplies Bhavan,

Somajiguda, Hyderabad.
2 The Collector & District Magistrate, Ananthapur District, Ananthapur.
3 The Revenue Divisional Officer, Penugonda, Ananthapur District.
4 The Mandal Revenue Officer, O.D. Cheruvu, Ananthapur District.
5 The Joint Collector, Ananthapur, Ananthapur District.
6 M. Dasarath Naik S/o Not known
R/o Narayanakota Thanda, Yeddulavaripalli Village,

OD Cheruvu Mandal, Ananthapur District.

...RESPONDENTS

THE HON'BLE MR JUSTICE V.ESWARAIAH

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ORDER:

The petitioner is a fair price shop dealer of Yeddulavaripalli Village, O.D. Cheruvu Mandal, Ananthapur District. The fair price shop dealership was bifurcated into two shops by forming another shop at Nayanakota Thanda, Yeddulavaripalli Village by proceedings of the Collector & District Magistrate, Ananthapur, Ananthapur District on 13.08.2005. As against the said order, the petitioner filed an appeal dated 18.08.2005 before the Director of Civil Supplies, O/o.the Commissioner of Civil Supplies, A.P., Hyderabad and the Appellate authority granted stay by his order dated 28.10.2005 pending disposal of the appeal, which was vacated as per the order dated 31.12.2005. It is settled that the question of vacation of stay does not arise when the appeal is pending.

The Writ Petition is accordingly disposed of and the impugned proceedings dated 31.12.2005 is set-aside. Further, the first respondent is directed to dispose of the appeal expeditiously. No costs.

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(V.ESWARAIAH, J)

6th January 2006

RRB